



Forest Service  
U.S. DEPARTMENT OF AGRICULTURE

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# Southern HDs Landscape Restoration Project

## **DRAFT** Decision Notice

Columbine Ranger District, San Juan National Forest,  
Archuleta and La Plata Counties, Colorado

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JAMES SIMINO  
Columbine District Ranger

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DATE



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## Background

The *Southern HDs Landscape Restoration Project Environmental Assessment* (EA) associated with this Decision Notice documents the Proposed Action, which was analyzed in detail for resource impacts associated with proposed vegetation management in the project area. The EA can be obtained at the Columbine District Office or online (see contact information at the bottom of this document). The project area is located on the Columbine Ranger District of the San Juan National Forest (SJNF). The project area encompasses approximately 35,000 acres of federal lands in the HD Mountains, within La Plata and Archuleta Counties, Colorado, Townships 34-35 North, Ranges 5-6 West, N.M.P.M.

## Public Involvement and Tribal Consultation

The proposal was listed in the SJNF's *Schedule of Proposed Actions* beginning in September 2020. Scoping input was received through mid-October 2020, because of a press release, and letters and e-mails to adjacent landowners and subdivisions, those who had previously expressed interest in the project, and other parties that could be affected by the proposal. Responses were received from approximately 40 sources. Scoping comments were used to identify issues to be discussed in the EA.

Also in September 2020, the SJNF began Tribal consultation concerning the project with 25 Tribes and Pueblos that are culturally affiliated and traditionally associated with SJNF. During this consultation, four Tribes or Pueblos responded, requesting continues consultation and information sharing.

Opportunities for public comment continued for a 30-day period beginning on August 18, 2021 following the issuance of the EA in pre-decisional draft form. The comment period was announced with a press release, direct mailing to those who previously showed interest, and a legal notice in the Durango Herald newspaper. Written comments in response to the draft EA were received from 19 sources. All comments, as well as a Forest Service response to comments, are posted on the website, located in the project file, and available upon request. Key comments and how they were considered in this decision are discussed below in the rationale section of this Decision Notice.

## Decision and Reasons for the Decision

### Decision

Based upon my review of the EA, the project record, internal specialist input, and the comments received during scoping and the 30-day public comment period, I have approved the Proposed Action.

In brief, this Decision authorizes the following key management actions:

- Mechanical harvest, mastication, and thinning of shrubs and trees on up to 550 acres within treatment units as shown on the attached map.
- Prescribed burning and associated activities within the 35,000-acre project area.

- Use of intensely managed goat grazing in select places on a trial basis, and if successful, across the entire project area.
- Hand cutting of trees for small-scale specific purposes across the project area.
- Construction of up to approximately 1.0 miles of new temporary road outside of the HD Mountain Roadless Area.
- Use and maintenance of open and closed Forest system roads.
- Required inclusion of design elements.

Details and further descriptions of actions included in the Proposed Action can be found in the EA. See attached figure.

In addition to existing guidance (laws, regulations, and policies, including standard best management practices, Forest Service Handbooks, and Forest Plan guidance), design elements specific to this project were developed to ease some of the potential impacts. These are part of my decision and are required to be implemented unless a waiver is granted in writing by the District Ranger. Waivers may be granted due to changing or unanticipated conditions, such as unusual weather conditions, provided that environmental consequences would be within the range of impacts analyzed in the EA.

## *Project-Specific Design Elements*

### **Wildlife:**

1. In mapped Critical Winter Range, Severe Winter Range, and Winter Concentration Areas: from December 1 through April 30, mechanical and prescribed fire burning operations will generally be limited to no more than two active work locations at one time. If treatment occurs during the restriction period, operating hours will be between 0900 and 1500. For prescribed fire operations only, operating hours may be extended to 1700 on up to three days during the period of December 1 to April 30.
2. In mapped General Winter Range: from December 1 through April 30, mechanical operations will generally be limited to no more than four active work locations at one time. If treatment occurs during the restriction period, operating hours will be between 0900 and 1500. Mechanical operations include chain saw work in hand thinning units, mastication, timber sale operations and biomass removal. Prescribed fire burning, pile burning, and hand-line construction are not restricted at any time.
3. At known peregrine falcon eyries, no treatments would occur within a half mile from 15 March through 1 July except as may be modified by the district ranger, in consultation with the district biologist.

### **Recreation:**

4. Commercial big game outfitters permitted by the Forest Service will be notified in writing by June 1 of each year of possible prescribed burning in the fall of that year. The notification will include a map of the units planned for burning. Another notification will be sent at least 30 days in advance of actual operations.
5. After operations conclude in each unit, all system trails will be returned to pre-operation conditions or better, by the project proponent or operator. This could include: ripping and

returning the trail tread to proper width, re-installing water drainage features, and replacing signage.

6. After operations conclude in each unit, all Travel Management control features such as tank traps, width restrictors, and signage will be returned to pre-operation conditions or better, by the project proponent or operator.
7. Cross-country and overland vehicular travel and fire control lines will be rehabilitated as necessary to discourage public use by OHVs, and will have erosion control measures installed where they occur on steep erosive soils.

### Vegetation:

8. Identification materials and known locations of special status plant species will be provided to operators and crews so they may avoid unintentionally trampling or uprooting these species. This includes reported locations of Missouri milkvetch and Aztec milkvetch.
9. No mechanical thinning or mastication will be used within old growth stands or in Colorado Roadless Areas.
10. Hand thinning will be used where needed to prepare old growth stands for prescribed fire.
11. **Groups/Clumps:** In ponderosa pine dominated stands, promote more open, uneven-aged stand conditions with trees existing in clumps and groups separated by openings. Groups consist of larger patches comprised of single trees and clumps with interlocking crowns. Groups are defined as a cluster of two or more trees with interlocking or nearly interlocking crowns at maturity, surrounded by grass-forb-shrub interspaces (*Reynolds 2013*). Size of tree groups is typically variable depending on forest type and site conditions and can range from fractions of an acre (i.e., a two-tree group), such as in ponderosa pine or dry mixed-conifer forests, to many acres, as is common in wet mixed-conifer and spruce fir forests. Trees within groups are typically non-uniformly spaced, some of which may be tightly clumped. Clumps are generally smaller, made up of a few to several trees within a relatively short distance (0-12 feet). Clumps are defined as (1) the aggregate of stems issuing from the same root, rhizome system, or stool (*Reynolds 2013*); or (2) an isolated generally dense group of trees (*Helms 1998*). Where existing conditions allow, retained groups should be comprised of one or more clumps ranging in size from 0.10 to 1.50 acres. Emphasis will be placed on cutting entire groups, edges of groups near meadows or openings, or isolated single trees. Closely spaced trees within clumps that provide valuable wildlife habitat will be retained. Only thin within clumps and groups when necessary to reduce declining or highly suppressed trees, not to simply increase tree spacing within groups. Designate cut trees within clumps and groups by condition, emphasizing the removal of generally smaller diameter or poorer condition trees over removal of the dominant or co-dominant trees in the group.
12. **Openings:** Create openings in ponderosa pine stands 0.25 to 1.5 acres in size adjacent to the clumps and groups described above.
13. **Gambel Oak:** Where present, attempt to reduce continuous Gambel oak and juniper ladder fuels when within or immediately adjacent to tree clumps and groups (under tree crowns or adjacent to the crown dripline). Retain large diameter Gambel oak (greater than six inches in diameter at root collar), where present, within harvested areas. Large diameter Gambel oak should only be cut where it presents an immediate hazard to the retention of desirable trees within clumps or groups. Smaller Gambel oak (less than six inches in diameter at root collar) and all juniper may be cut within openings.

14. Proposed harvest areas that fall outside of Management Area 5, are considered Tentatively Suitable, or Unsuitable for Timber Production, will be managed for an uneven-aged condition with **no scheduled re-entry** cycle. In these areas, harvests will move these areas closer towards other Forest Plan desired conditions. In areas where the current forest structure is predominantly even-aged, a harvest objective will be to promote conditions suitable for the establishment of a younger, second cohort of trees while maintaining a predominantly mature and open forest condition.
15. **Target stand structure for ponderosa pine and warm-dry mixed-conifer forests** will be informed by site-specific information on historic conditions or local forest productivity whenever possible. This may entail emulating the patterns, density, and species composition of historic trees or stumps present in the area. Lower productivity areas will feature target average basal areas from 40-60, sq. ft./acre with higher productivity basal areas averaging 60-80 sq. ft./acre. In all harvested areas, effort will be made to retain a range of stocking levels from very low 0-20 sq. ft./acre to upwards of 100-140 sq. ft./acre or more in localized areas.
16. Live **old ponderosa pine** established prior to approximately 1880 will be retained in nearly all situations in planned harvests. Exceptions may be made in localized areas to reduce declining trees affected by bark beetles and/or root rot.
17. **Follow-up Treatments:** In the 15-20 years following harvest, all ponderosa pine stands proposed for harvest will require maintenance activity consisting of prescribed fire, managed natural fire, thinning, or mastication of conifer and/or Gambel oak regrowth. These follow-up maintenance activities will not result in commercial outputs other than fuelwood or small diameter <8" non-sawtimber products.

## Rationale

The proposed actions will meet the need to move the area towards meeting Forest Plan desired conditions. It will result in a heterogeneous forest structure, more open areas, less continuous fuels on the ground and in the canopy, more sunlight reaching the ground for pine seedlings and grasses, and less continuous Gambel oak patches. The residual stand will have healthier overstory trees that are more resilient to disturbance like drought, insects, fire, and warming temperature trends. The proposed actions will increase the probability of natural ponderosa pine regeneration and will release natural minerals and nutrients back into the soil. Accomplishment of treatments outlined in the proposal will allow restoration of more natural fire, which will lower the probability of a running stand-replacing crown fire, thus secondarily reducing the risk to life, property, cultural and natural resources, and decreasing the financial costs of fire suppression. Additional benefits will include an increase in habitat diversity for many native wildlife species, including big game, by creating more forage and increasing the amount edge and interspersions of vegetative types. A small volume of wood products will also be provided to help meet local demand.

## Consideration of Other Alternatives and Public Comments

Factors I considered in making my decision included the need for the action, analysis of impacts by Forest Service staff specialists, consequences of implementing the proposed action, consequences of *not* implementing the proposed action, best available science used in the analysis, and issues and public comments.

In addition to the proposed action, I considered one other alternative, which would have designated a fire control line to serve a dual purpose as a motorized trail. I dismissed this alternative from detailed analysis because there were several resource concerns that had not been adequately addressed to allow a sustainable trail design at this time. Future consideration of any new motorized trail would require a new analysis process including public involvement, and another decision.

I closely considered comments that were received during the planning process. Comments during the 30-day comment period were received from 19 external sources: eight from individuals, four from Tribes or Pueblos, one from another federal agency, one from the state wildlife agency, one from a county, and four from user groups and other non-governmental organizations. Please refer to the *Response to Comments* document for a point-by-point response.

Many of the comments were regarding potential impacts to old growth ponderosa and the perception that the Forest Service had not adequately considered old growth. In response, I directed my staff to produce a stand-alone old growth report to better document the analysis that had already occurred, but was not evident in the Draft EA. A summary of this report was added to the final EA. I decided to drop mechanical harvest units from the Proposed Action where they overlapped with old growth stands. Two design elements were also added to the Proposed Action stating that no mechanical treatments or mastication will be used within old growth stands, and that hand thinning will be used to prepare old growth stands for prescribed fire.

Another concern was several commenters' dissatisfaction with disclosure of impacts to the HD Mountains Roadless Area. A Colorado Roadless Areas analysis of impacts section did exist in the draft EA, but a map of the Roadless Area was added to the final EA. This should help clarify that mechanical thinning treatments are not being authorized in the Roadless Area.

Some commenters were rightly concerned about potential impacts to cultural resources. I recognize that the HD Mountains are rich in cultural resources and that these are important to affiliated Tribes and Pueblos. The phased implementation and consultation approach that is outlined in the Programmatic Agreement with SHPO addresses these concerns and will avoid negative impacts to these resources.

There was much concern over the existing distribution of noxious weeds and the potential for this project to exacerbate the issue. I recognize that the existence and distribution of noxious weeds is a real concern and because of this, monitoring and treatment of weeds is a standard best management practice followed by the Forest Service to the extent that budget and staffing allow it. Cooperative weed control agreements with the natural gas companies in the project area also are in place to help address the issue. While the EA acknowledges the potential for this project to increase weed spread, it is not the only vector for spread, and I believe the advantages of doing the project outweigh that disadvantages. Authorization of weed treatments is previously authorized and is not part of this decision.

A few other editorial and wording changes were made to the final EA as a result of comments, such as re-wording and/or moving some design elements from Appendix A to the Proposed Action project-specific design elements; those changes are noted in the *Response to Comments* document.

In summary, the need for the project and the benefits that it will create outweigh the short-term negative impacts.

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## Finding of No Significant Impact (FONSI)

As the responsible official, I am responsible for evaluating the effects of the project relative to the definition of significance established by the CEQ Regulations (*40 CFR 1508.13*). I have reviewed and considered the EA and documentation included in the project record, and I have determined that the *Southern HDs Landscape Restoration Project* will not have a significant effect on the quality of the human environment. As a result, no environmental impact statement will be prepared. My rationale for this finding follows.

Context is a measure of the effects of the project related to the local, regional, and larger scales. Mechanical treatments will only occur on 750 acres. While the 35,000-acre project boundary encompasses a large percentage of the HD Mountains, and prescribed fire could potentially be allowed on all this acreage, fire would be temporally and spatially separated; the entire project area would not be prescribed burned all at once. The project area is also only a minor portion 764,000-acre Columbine Ranger District. For these reasons, the context of the project is limited.

Intensity is a measure of the severity, extent, or quantity of effects, and is based on information from the environmental impacts analyses of this EA and the references in the project record. The effects of this project have been appropriately and thoroughly considered with an analysis that is responsive to concerns and issues raised by the public. The agency has taken a hard look at the environmental effects using relevant scientific information and knowledge of site-specific conditions. The intensity of impacts is limited.

My finding of no significant impact is based on the context of the project and intensity of effects using the ten factors identified in 40 CFR 1508.27(b):

1. *Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.*

I have acknowledged both the negative and positive effects of the proposal and have disclosed those effects in the EA. None of the resource analysis sections have identified a significant level of impacts, due in part to the localized extent and relatively short duration of the project.

2. *The degree to which the proposed action affects public health or safety.*

I have acknowledged that there are minor short-term risks to public safety due to inherent hazards of prescribed fire, including smoke production. On the other hand, restoration of a more natural fire regime will provide a long-term benefit to public safety through reduced risk of wildfire and un-managed smoke.

3. *Unique characteristics of the geographic area such as the proximity to historical or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*

Historic and cultural resources are discussed in item 8 below. There are no parklands, prime farmlands, wild and scenic rivers, or ecologically critical areas in the project area. Impacts to roadless areas, old growth stands, and small wetlands that may exist within the project area will be beneficial, insignificant, or avoided, as described in the EA analysis.

4. *The degree to which the effects on the quality of the human environment are likely to be highly controversial.*

The term “controversial” in this context refers to cases where substantial scientific dispute exists as to the size, nature, or effects of a major federal action on some human environmental factor, rather than to public opposition of a proposed action or alternative. There was no scientific controversy raised during the planning process.

5. *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*

The Forest Service has considerable experience with the types of activities to be implemented. The effects analysis in the EA show that effects are not uncertain or unknown.

6. *The degree to which the action may establish precedent for future actions with significant effects or represents a decision in principle about a future consideration.*

The action will not establish precedent because future decision for other projects will require their own analyses and decisions.

7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.*

Even though this decision authorizes activities similar to those already authorized in the adjacent parts of the surrounding landscape, the cumulative impacts were considered in the analyses conducted for the EA. The cumulative impacts were determined not to be significant, partially because there will be enough temporal and spatial separation between activities, and partially because of the required design elements.

8. *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.*

Project activities will be implemented under a phased cultural protection process, using the cultural resource design elements identified in the *Cultural Resources Vegetation Management Programmatic Agreement* with SHPO. Site-specific field surveys, records searches, compliance work, and consultation with SHPO and Tribes will be completed as needed for each undertaking with the project area prior to implementation. With adherence to all cultural resource design elements, the project will have no adverse effects on cultural resources.

9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

Biological Assessments were completed for plants, animals, and fish, and it was determined that there is no habitat for any federally listed species in the project area. There will be no effect to any listed species or their habitats.

10. *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

The project does not violate any known environmental law, regulation, or policy.

## Findings Required by Other Laws and Regulations

This decision to authorize the proposed action is consistent with the intent of the Forest Plan's long term Desired Conditions and Objectives. The project was designed in conformance with land and resource management plan Standards and Guidelines. The Forest Plan provides the framework for the action proposed here, and the Columbine District is undertaking the action as one step in implementing the Forest Plan, as required by the Forest and Rangeland Renewable Resources Planning Act of 1974 (RPA, P.L. 93-378) and the National Forest Management Act of 1976 (NFMA, P.L. 94-588).

The FONSI summarizes why the project will not have a significant effect on the quality of the human environment. The FONSI includes a discussion of the context and intensity of the project impacts, and how the project is in conformance with other laws and regulations.

The project complies with requirements of the National Environmental Policy Act, the Clean Air Act, the Clean Water Act, the National Forest Management Act, the Endangered Species Act, and the National Historic Preservation Act, among others.

The project is in compliance with Executive Order 12898 on Environmental Justice. According to US Census Bureau 2020 data, none of the populations of Archuleta County, La Plata County, Durango, Bayfield, or Ignacio are predominantly (>50%) minority or low-income populations. However, the populations of all these areas have a higher percentage of American Indians than the state or national average, and the population of the town of Ignacio has a higher percentage of individuals in poverty than the national average or surrounding areas. The project is in compliance with the Order because the impacts from the project would not disproportionately affect these environmental justice populations when compared to the rest of the surrounding populations.

All practical means to avoid or minimize environmental harm have been adopted in the design of the selected alternative. The environmental analyses disclosed in the EA identify the effects analysis methodologies, reference scientific sources which informed the analysis, and disclose limitations of the analysis where applicable.

## Administrative Review or Objection Opportunities

This draft decision is subject to administrative review (objection) pursuant to 36 CFR Part 218. For this project, 36 CFR 218 Subparts A and B apply.

After this draft Decision Notice/FONSI and Final EA are made available to the public, a legal notice announcing the objection period for this project will be published in the *Durango Herald* newspaper, which is the newspaper of record. Objections must be submitted within 45 calendar days following the publication of this notice in the *Durango Herald*. The publication date in the newspaper of record is the exclusive means for calculating the time to file an objection. Those wishing to object should not rely upon dates or timeframe information provided by any other source. It is the objector's responsibility to ensure timely filing of a written objection with the reviewing officer. The regulations prohibit extending the time to file an objection.

Objections will only be accepted from those who have previously submitted specific written comments regarding the proposed project during designated scoping or comment periods. Issues raised in objections must be based on previously submitted timely, specific written comments

regarding the proposed project unless based on new information arising after designated comment opportunities. Objections must contain the minimum content requirements specified in §218.8(d). All objections are available for public inspection during and after the objection process; names and addresses of objectors will become part of the public record.

Objections, including attachments, must be in writing.

**Electronic filing is preferred** and should be submitted at:

<https://www.fs.usda.gov/project/?project=58742>

Other options are via FAX: 970-375-2331, Attn: OBJECTION Southern HDs

Or via postal service or delivery courier (USPS, UPS, FedEx):

Objection Reviewing Officer,  
Forest Supervisor Kara Chadwick,  
San Juan National Forest,  
15 Burnett Court,  
Durango, CO 81301

Because of the current office closure due to covid-19, personal hand-delivery at this address should be coordinated by calling Mark Lambert 970-799-2331.

## Implementation Date

If objections are received, I may not sign the Decision Notice until the Reviewing Officer has responded in writing to all pending objections. Based on the discussions and findings in that review, I will issue a final decision. My decision will be consistent with the final review on the project.

If no objections are received, I may sign the Decision Notice five business days after the close of the objection filing period. Implementation may begin immediately after the decision notice is signed.

Implementation will occur in phases over several years, depending on available budgets, contractor schedules, weather conditions, and other unpredictable factors.

## Contact

For additional information concerning this decision, project details, or to obtain a hard copy of the EA or DN/FONSI, contact the Columbine Ranger District, POB 439, Bayfield, CO 81122, (970) 884-2512.

You may download the EA and other relevant documents from:

<https://www.fs.usda.gov/project/?project=58742>

## Decision Notice Figure. Southern HDs Landscape Restoration Project Area

